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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,053	03/31/2004	Andre Wachholz-Prill	13906-137001 / 2003P00531	7952
32864	7590	05/14/2008	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			BELOUSOV, ANDREY	
		ART UNIT	PAPER NUMBER	
		2174		
		MAIL DATE	DELIVERY MODE	
		05/14/2008	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/815,053	WACHHOLZ-PRILL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	ANDREY BELOUSOV	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 February 2008.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

This action is responsive to the amendment filed on February 12, 2008. Claims 1-24 are pending and have been considered below.

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a) because they fails to show the hyperlink entitled "Recent Orders" accessible from navigation menu 48 on the first portal page 50a as described in the specification (14:5-8) and similarly for hyperlinks for portal pages 50b, 55a, and 55b. The Examiner notes that such detail was in the first set of submitted drawings (3/31/2004) but not in the formal drawings (4/23/2004.)
2. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 7-10, and 19-22 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's amendment in claims 7 and 19 of: "and that is not configured for navigating to any of the registered pages" is not supported by the specification (14:5-8) or the original informal drawings (Fig. 8) as filed.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 11-18, 23-24 are rejected under 35 U.S.C. 102(b) as being anticipated by  
Motley

et al., (The Motley Fool, [www.fool.com](http://www.fool.com), May 16, 2001 as per WayBackMachine,  
<http://www.archive.org/.>)

**Claim 1, 13:** Motley discloses a method of displaying a portal page (Fig. 6: 60) registered within a web-based portal (Fig. 6) that includes portal pages (Fig. 6, 7) registered within a web-based architecture and navigation options (Fig. 6: 64) linked to different ones of the registered portal pages, the method comprising:

- a. providing, from a server (Fig. 2: [www.fool.com](http://www.fool.com) server) and to an access device (personal computer), information (HTML, JavaScript, and/or java files of Fig. 6), to provide a display of a selected first registered (Fig. 6) portal page that includes a hyperlink (Fig. 6: 62: "Folders") to a second registered portal page (Fig. 7: 70), wherein the display is provided within a displayed navigation framework that also includes a navigation menu (Fig. 6: 64) managed separately from the first registered portal page (pg. 1-23) for user selection of any multiple navigation options, each corresponding to a visual configuration (Fig. 6: 64, Fig. 7: 74) of the navigation menu;
- b. receiving, at the server, an input indicating user selection of the displayed hyperlink (selection of "Folders" hyperlink: Fig. 6: 62) to the second registered portal page;
- c. providing, from the server to the access device,

- a. information (html and/or JavaScript files of Fig. 7) to provide a display of the second registered portal page within the displayed navigation framework, and
- b. information that causes the navigation menu to emulate (the menu takes on a visual configuration as if the "Discussion Boards" navigation option was selected, followed by the "Folders" sub-menu navigation option. "Discussion Boards" is highlighted Fig. 7: 76, and "Folders" is colored in red Fig. 7:78), separately from the first registered portal page (pg. 1-23), a selection of one of multiple navigation options that is associated with the second registered navigation page.

**Claim 2, 14:** Motley discloses the method of claim 1 wherein the information that causes the navigation menu to emulate the selection of the navigation option linked to the second navigation option includes a display indicator describing the second registered portal page to be displayed (Fig 6: 63.)

**Claim 3, 15:** Motley discloses the method of claim 1 further comprising processing (receiving the input of a selection of "Folders" and subsequently returning the corresponding page (Fig. 7) inherently includes processing) the input (clicking the "Folders" link: Fig. 6: 62) received from the access device by identifying a registered target web page (Fig. 7) from a plurality of target web pages (Fig. 6: "Folders," (Fig. 7)

"Best of," (Fig. 8) "Favorites & Replies," "Customize," and "Help") included in the displayed navigation framework (Fig. 6, 7.)

**Claim 4, 16:** Motley discloses the method of claim 3 wherein processing the input comprises parsing the input for at least one service request ("Folders" service request), the at least one service request identified (Fig. 7 page) in the target web pages (Fig. 6: "Folders," (Fig. 7) "Best of," (Fig. 8) "Favorites & Replies," "Customize," and "Help") included in the displayed navigation framework (Fig. 7: 76, 78.)

**Claim 5, 17:** Motley discloses the method of claim 4 wherein processing the input comprises:

- a. transmitting a selectable list of target web pages (Fig. 7: 72) in response to the input, the selectable list of target web pages identifying a plurality of target web pages that include a service ("Folders" service) matched to the at least one service request (request for "Folders"); and
- b. processing one of the selectable list of target web pages based on a selection from the selectable list (clicking on Stocks A to Z: Fig. 7.)

**Claim 6, 18:** Motley discloses the method of claim 3 wherein processing the input comprises selecting one of the plurality of target web pages included in the portal framework using a user role (Fig. 6:61.)

**Claim 11, 23:** Motley discloses the method used in generating a portal page (Fig. 7) to be registered within a portal structure that includes portal pages (Fig. 7, 8) registered within a portal framework and a navigation menu (Fig. 7: 74, 78) for multiple navigation options linked to different ones of the registered portal pages (Fig. 7:78 "Folders" leads to page of Fig.7, and Fig. 7:78 "Best of" leads to page of Fig. 8), each of the multiple navigation options corresponding to a visual configuration of the navigation menu (Fig. 7, 8 have different highlighting corresponding to the page), the method comprising:

- a. assigning, for a portal page (Fig. 7 page) being generated, a service (Fig. 7 a listing of "Folders" service, see pages 1 and 11 for meta data descriptors) in the portal page to include the service in the portal page for generating data content (content data from the html, pages 1-23), the service preexisting within a service provider (Fig. 2: stored on the www.fool.com server) and represented within a service definition (see pages 1 and 11 for meta data descriptors) of the portal page; and
- b. registering (i.e. linking and storing Fig. 7: 78 with the page Fig. 7: 70) the portal page being generated and the service (Fig. 7: 70 listing of "Folders") included in the portal page being generated with a portal navigation service (Fig. 2; web server hosting www.fool.com), the portal navigation service being configured to identify, upon receipt of a request (inherent HTTP request for serving a page) that includes a service name (request for a listing of "Folders" service: Fig. 7: 70), the generated portal page by performing a query using the requested service name (URL for the "Folders" page,

<http://www.fool.com/about/site/discussion.html>, page 1) to obtain a page identifier (an inherent local file storage schema identification for the page as stored on the web server host) for the generated portal page (Fig. 7; "Folders" page), the page identifier obtained as being associated (is the equivalent to the service name) with the requested service name.

**Claim 12, 24:** Motley discloses the method of claim 11 wherein registering the portal page (Fig. 7) being generated and the service included (Fig. 7: "Folders") in the portal page with the run-time service occurs upon storage of the portal page in a navigation framework (i.e. www.fool.com server, Fig. 2.)

#### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-10, and 19-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Motley.

**Claim 7, 19:** Motley discloses the method of displaying a portal page (Fig. 7: Discussion Board: Folders) registered (i.e. sorted and categorized: has a corresponding menu / submenu) within a portal structure that includes portal pages registered (Fig. 7; Fig. 7:

Best Of - Fig. 10) within the portal structure and navigation options (Fig. 7: 74, 78)

linked to different ones of the registered portal pages (Fig. 7, 10) the method comprising:

- a. providing, from a server (Fig. 2: www.fool.com server) and to an access device (personal computer), information (HTML, JavaScript, and/or java files of Fig. 7) to provide a display of a selected first registered portal page that includes a hyperlink (Fig. 7: 71) to an unregistered portal page (Fig. 9), wherein the display is provided within a displayed navigation framework that also includes a navigation menu (Fig. 7: 74, 76, Fig. 8), managed separately from the first registered portal page (pg. 1-23), for user selection of any of multiple navigation options, each corresponding to a visual configuration of the navigation menu (Fig. 7: 74, 76; Fig. 8);
- b. receiving, at the server, an input indicating user selection of the displayed hyperlink (selection of "Learning Together" hyperlink: Fig. 7: 71);
- c. providing, from the server to the access device,
  - a. information (html and / or JavaScript files of Fig. 9) to provide a display of the selected unregistered portal page (Fig. 9), and
  - b. information that causes the navigation menu to emulate, separately from the first registered portal page (pg. 1-23), a selection of one of the multiple navigation options that is associated with a default navigation page (Home navigation option, without any submenus (e.g. News, Special Features,

Investing Strategies, etc.) highlighted: Fig. 9) and that is not configured for navigation to any of the registered portal pages.

However, Motley does not explicitly disclose wherein the selection is not configured for navigation to any of the registered portal pages.

The Examiner takes Official Notice that it is old and well known in web page design arts to have a 404 error page. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a 404 error page not configured for navigation to any of the registered portal pages with the disclosure of Motley as it would have been a mere design choice to include or exclude certain navigation options on a 404 error page.

**Claim 8, 20:** Motley discloses the method of claim 7 wherein the information that causes the navigation menu to emulate the selection of the navigation option linked to the default navigation option includes a display indicator describing the default navigation page to be displayed (Fig. 7: 73.)

**Claim 9, 21:** Motley discloses the method of claim 7 further comprising processing the input received from the access device by identifying a default navigation page (Fig. 9) from a plurality of target web pages (Fig. 6, 8 ) existing in the displayed navigation framework.

**Claim 10, 22:** Motley discloses the method of claim 9, wherein processing the input comprises parsing the input for at least one service request, the at least one service request not identified with the target web pages included in the displayed navigation framework (has no corresponding menu I submenu category: Fig. 9: 90.)

***Response to Arguments***

8. Applicant's arguments filed February 12, 2008 have been fully considered but they are not persuasive. Applicant argues that Motley does not disclose or suggest that the navigation menu is managed separately from the first registered page. The Examiner respectfully disagrees. As provided in the twenty three pages of html / script source code for the web pages of Fig. 6 (a page relating to "Step 3: Discussion Boards," correlating to pages 1-10 of the reference) and Fig. 7 (a page relating to "Folders," correlating to pages 11-23 of the reference) the management of the navigation menu (See page 1, starting with "< Top >" to page 3 ending with "< End Top>") is separated from the management of the content of the page itself (See page 7, starting with "<BODYTEXT>" to page 8, "</bodytext>".) Likewise, there is such a separation of management for the web page as represented in Fig. 7.

As to applicant's argument with respect to "preexisting services" the Examiner points to the metadata descriptors of the html pages included with this office action.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB  
May 12, 2008

/David A Wiley/  
Supervisory Patent Examiner, Art Unit 2174